

MARC E. MAYER (SBN 190969), mem@msk.com
BRANDON HUGHES (SBN 329947), beh@msk.com
MITCHELL SILBERBERG & KNUPP LLP
2049 Century Park East, 18th Floor
Los Angeles, CA 90067-3120
Telephone: (310) 312-2000
Facsimile: (310) 312-3100

Attorneys for Riot Games, Inc.

FILED

MAY 06 2022

CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

CV 22 80111 MISC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SVK

SAN FRANCISCO DIVISION

In re DMCA Subpoena to Google, LLC dba
YouTube, LLC

MISC. CASE NO.

**DECLARATION OF BRANDON E.
HUGHES IN SUPPORT OF DMCA
SUBPOENA TO GOOGLE, LLC DBA
YOUTUBE, LLC PURSUANT TO 17
U.S.C. § 512(H)**

I, Brandon E. Hughes, declare as follows:

1. I am an associate with the law firm Mitchell Silberberg & Knupp, LLP (“MSK”). MSK is counsel for Riot Games, Inc. (“Riot”) and is authorized to act on Riot’s behalf in the protection of copyrights and/or exclusive rights possessed by Riot pertaining to numerous highly popular video games. Riot’s copyrights include, but are not limited to, the computer software program entitled “Valorant.”

2. Riot is requesting the attached proposed subpoena that would order Google, LLC dba YouTube, LLC (“YouTube”) to disclose the identity, including the name(s), address(es), telephone number(s), and e-mail addresses(es) of the user(s) responsible for posting the content that appeared at the following YouTube URL: <http://www.youtube.com/watch?v=f8-qlFn3aj0>.

MISC. CASE NO.

Mitchell
Silberberg &
Knupp LLP

141975281

FAXED

1 3. The purpose for which this subpoena is sought is to obtain the identity of the
2 YouTube user(s) who posted content that appeared at the following YouTube URL:
3 <http://www.youtube.com/watch?v=f8-qlFn3aj0>. This user, in a post located at said URL,
4 infringed Riot’s copyright in “Valorant.”
5

6 4. The information obtained will be used only for the purposes of protecting the rights
7 granted to Riot under the Copyright Act.
8

9 5. Under 17 U.S.C. § 512(c)(3)(A), Riot submitted a notification to YouTube
10 identifying the infringing content posted by the infringing user(s) and providing the information
11 required by 17 U.S.C. § 512(c)(3)(A). A true and accurate copy of the submitted notification is
12 attached hereto as Exhibit 1.
13

14 I declare under penalty of perjury under the laws of the United States of America that the
15 foregoing is true and correct to the best of my knowledge, information and belief.
16

17 Executed in San Francisco, California on May 4, 2022.
18

19 
20 _____
21 Brandon E. Hughes
22
23
24
25
26
27
28

EXHIBIT 1

From: **YouTube Copyright** <youtube-disputes+02bpot9wohq&d07@google.com>
Date: Tue, Apr 26, 2022 at 2:19 PM
Subject: YouTube Copyright Complaint Submission
To: <sampark@riotgames.com>
Cc: <enforcement@riotgames.com>



Copyright Infringement Notification Confirmation

Thank you for submitting a copyright takedown request. Your request will be reviewed to make sure it's valid and includes all required elements.

In your request, you have asked that we remove the videos and prevent any copies from being uploaded in the future. We'll reply to this email when we've taken action on your request.

To check the status of your takedown request, go to the 'Removal requests' tab in YouTube Studio's Copyright page. From here, you can also turn off the "Prevent copies" feature. This is the feature that makes best efforts to prevent copies of the videos you asked us to remove from being reuploaded to YouTube.

Keep in mind that this feature should only be selected when you have exclusive worldwide rights to the content specified in your takedown request.

Here is the information you gave us:

Copyright Owner Name (Company Name if applicable): Riot Games, Inc. Your Full Legal Name (Aliases, usernames or initials not accepted): Sillro Park Your Title or Job Position (What is your authority to make this complaint?): IP Enforcement Paralegal Address: 12333 W. Olympic Blvd. Los Angeles, CA 90064 US Username: SP Email Address: sampark@riotgames.com Secondary Email Address: enforcement@riotgames.com Phone: (424) 231-1111

- URL of allegedly infringing video to be removed:
<http://www.youtube.com/watch?v=f8-qIFn3aj0>
- Describe the work allegedly infringed: My company, organization or client's software
 - Title of software: Riot's "Valorant" -
<https://playvalorant.com>

- Software interface is shown

Country where copyright applies: US

I state UNDER PENALTY OF PERJURY that:

- I am the owner, or an agent authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.
- I have a good faith belief that the use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law; and
- This notification is accurate.
- I acknowledge that under Section 512(f) of the DMCA any person who knowingly materially misrepresents that material or activity is infringing may be subject to liability for damages.
- I understand that abuse of this tool will result in termination of my YouTube account.

Authorized Signature: Sillro Park

Sincerely,

— The YouTube Team

[Help center](#) • [Email options](#)

©2022 YouTube, LLC 901 Cherry Ave, San Bruno, CA 94066, USA